IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4148 OF 2004

Kanta Rameshwardas Bansal .. Petitioner
Versus
The State of Maharashtra & Ors. .. Respondents

Mr.S.P.Kanooga with Ms.Amita G. Bhaktwani for petitioner
Mr.Mukund T. Pise for respondent No.3
Ms.Vaidehi Mhaisapurkar, A.G.P. for respondent Nos. 1 and 2.

CORAM : S.C.DHARMADHIKARI, J.
DATE : 21st February 2006.

P.C.

. Petitioner is operating a Kerosene licence in Ganesh Nagar area. Petitioner is aggrieved by permission granted to respondent No.3 to shift her kerosene dealer licence from Wakad Road area to Ganesh Nagar and thereby reducing the card units which are attached to petitioner's shop. In any event, the complaint is that the respondent No.3 has deliberately

sought shifting of her licence/ permit to Ganesh Nagar so that the units available in Ganesh Nagar can be snatched by her.

2. It is not necessary to scrutinise the validity of the permission granted in the light of the statements of the Assistant Foodgrain Distribution Officer in the affidavit in reply. However, considering that petitioner has termed the acts of respondent No.3 in shifting to Ganesh Nagar by mis-representing the authorities and on the basis of documents which are not genuine, it would be open for petitioner to move authorities and the authorities shall take cognisance of the said request and take appropriate action against respondent No.3 in accordance with law if the petitioner substantiates the allegations. Petition disposed of.

(S.C.DHARMADHIKARI, J)